

Call to Order:

The meeting was called to order at 7:08 p.m. Present were Chairman, Paul Salafia, and members, Linn Anderson, Vincent Chiozzi (arrived at 7:12 p.m.), Joan Duff, John McDonnell, and associate member Mark Yanowitz; also present was Planner, Jacki Byerley.

Celestial Circle:

The Board opened the deliberations on an application by Rayvon Realty Trust for a nine lot Definitive Subdivision Plan, entitled Celestial Circle, and a Special Permit for a Cluster Development and a Special Permit for Earth Movement, located off Sunset Rock Road. Ms. Byerley reviewed the material in the packets to the Board, which included a Summary Sheet listing all the concerns with the Celestial Circle project. The Board discussed the summary sheets listing all the concerns.

Drainage:

The Board reviewed the areas of concern, raised by the Board and abutters, regarding the proposed drainage. Discussion included a review of the findings of the peer consultant, ESS Group, who represented the Town in conducting four (4) different drainage reviews. Ms. Byerley reviewed the drainage of the subdivision, including the concerns relating to the pre-existing conditions on Sunset Rock Road. Ms. Byerley noted that the applicant has agreed to put a 3rd catch basin in Sunset Rock Road, and DPW will construct the berm. Mr. Yanowitz raised the question as to which Town department should be contacted by residents if runoff is still an issue after the improvements are made to Sunset Rock Road. Chairman Salafia noted that DPW should be contacted. The consensus of the Board was that the existing runoff from the Sunset Rock roadway is a pre-existing situation, not caused by or associated with this proposed subdivision.

The Board reviewed the summary sheet listing Bruce Jacobs' concerns regarding the porous pavement and swale.

The Board discussed concerns raised by the abutters about the impact that blasting might have on the flow of ground water. Ms. Byerley noted there are no regulations regarding groundwater flow in our Rules and Regulations. Ms. Byerley reviewed the Conservation Commission condition # 22 regarding the requirement for a blasting review. The Board discussed the condition and was satisfied that it adequately addressed the concerns about blasting. The Board reviewed ESS Group's 4th review letter and DPW's final memo, both of which stated that the final proposed drainage design was satisfactory and complied with all applicable regulations. The final design also addressed Mr. Jacobs' concerns.

The Board reviewed a summary sheet of the letters from Attorney Caffrey (representing the Gables), in which Attorney Caffrey's concerns regarding the subdivision were outlined. Also reviewed was Attorney Caffrey's letter to DPW regarding an above ground water path and DPW's subsequent response. The Board concurred with DPW's finding that there was no violation of design criteria.

The Board discussed the use of porous pavement, which is designed for a 100 year storm.

The Board completed discussion regarding concerns about the swale.

Celestial Circle (cont.):

The Board reviewed a summary sheet of the letters from Paul Floyd and discussed his concern with the size of the detention basin. Ms. Byerley reviewed the letter from ESS Group dated Nov. 10, 2009, stating the subdivision is in compliance with the subdivision rules and regulations. She also noted that prior to the introduction of the porous pavement design, the detention basin was larger and had a retaining wall. The implementation of the porous pavement design allowed the detention basin to be smaller and the retaining wall to be removed.

The Board reviewed the summary sheet of the letters from Calvin Perry. Ms. Anderson reviewed the document list, the evaluation of the plan and how it addressed the abutters' concerns. Mr. McDonnell noted that the Board relies on peer consultants to review drainage and the peer consultant is satisfied with the drainage.

The Board reviewed the summary sheet of the letter from Denise Johnson regarding her concerns about 19 Sunset Rock Road and stormwater. She wanted to know how those concerns have been addressed. It was the consensus of the Board that the drainage issues have been addressed.

The Board reviewed Ms. Byerley's memo dated March 1, 2010 which included requirements for compliance with Section 7.1 Special Permit for a Cluster Development. The Board agreed that the requirements of sections 7.1.1. General; 7.1.2. Dimensional Requirements; 7.1.2.1., 7.1.2.3., 7.1.2.4. and 7.1.2.5. have been met.

The Board reviewed the requirements of Section 7.1.3 Noncluster Layout. The Board discussed the noncluster layout sketch dated 12/09/08, resubmitted 7/13/09 with the current application. Ms. Byerley noted that DPW reviewed the sketch plan and Mr. Perry's letter requesting DPW's opinion of the sketch plan. Ms. Byerley reviewed DPW's memo, dated Sept. 17, 2009, which stated that the sketch plan met the lot area and lot frontage requirements of the zoning by-laws. Ms. Byerley also reviewed the Inspector of Buildings memo, dated July 24, 2009, which stated that the sketch plan met the test of contiguous lot area and frontage for 9 lots. Ms. Byerley reviewed a letter from Mr. Floyd requesting a full review of the sketch plan. The Board agreed that a full review of the sketch plan is not a requirement of Section 7.1.3. The Board was in consensus that the applicant has satisfactorily met the requirements of Section 7.1.3.

The Board reviewed Section 7.1.4. Open Space. Ms. Byerley reviewed the calculations for the open space, the minimum lots sizes and noted lots 6 and 7 exceed the minimum lot sizes. The Board discussed the open space and whether the open space meets the Cluster Development requirements for this subdivision. The Board also reviewed a map with the lot sizes of abutting properties and noted this subdivision's lot sizes are consistent with the neighborhood. The Board was in consensus that the applicant has complied with the requirements of Section 7.1.4..

Ms. Byerley reviewed the summary sheet of abutters' concerns and noted that the Board has completed deliberations on the following items:

Drainage
Sketch Plan
DPW's Concerns
Porous Pavement

Celestial Circle (cont.):

Blasting

Plan Revision

The Board reviewed the traffic study done in June, 2009 and discussed the trip generation from the site. Ms. Byerley noted that DPW and the Safety Officer have reviewed the traffic. They agree that some queuing does exist but is limited to certain times of the day. Ms. Byerley noted that Lynn Hunter's concerns' regarding queuing does exist. The Board discussed traffic, emergency vehicles, peak hours and how it relates to the Pike School. The Board noted that the queuing is in the afternoon and not the morning hours. The Board also discussed the existing roadway, the right-of-way, the Pike School entrance and drop off. The Board was in consensus that the new proposed roadway complies with the design standards in our subdivision rules and regulations. The Board requested additional information from the traffic study regarding hours of peak traffic volume from the subdivision for review at the next meeting.

The Board discussed the ownership of the property. Ms. Byerley reviewed the original application and the amended application which corrected ownership. The amended application was submitted in December, re-advertised, with notification to abutters. The Board discussed the ownership of the site and subsequent re-notification and was in consensus that the applicant controls the site and that adequate notice to abutters had occurred.

The Board discussed the Celestial Circle roadway and the proximity to the Pike School entrance. The Board noted that the distance between the roadways is greater than 150', as required by our regulations.

On a motion by Ms. Anderson, seconded by Mr. McDonnell, the Board voted to continue the deliberations on an application by Rayvon Realty Trust for a nine lot Definitive Subdivision Plan, entitled Celestial Circle, and a Special Permit for a Cluster Development and a Special Permit for Earth Movement, located off Sunset Rock Road. **Vote** Unanimous (5-0)

Adjournment: The Board voted to adjourn the meeting at 9:00 p.m.